

# **Exhibit 1**

007-81708-98

STATE OF TEXAS	§	IN THE JUDICIAL DISTRICT
VS.	§	7 <sup>th</sup> JUDICIAL DISTRICT
TROY CLARK	§	SMITH COUNTY, TEXAS

**ORDER ON MOTION TO PAY COURT**  
**APPOINTED ATTORNEY'S FEES**

COMES NOW, Bobby D. Mims, appointed counsel for Troy Clark, Defendant, in the above referenced cause, having moved before this Court, for an Order directing payment of reasonable fees for professional legal services performed on behalf of Defendant, Troy Clark, in this cause. The Court having found the Defendant, Troy Clark, indigent and that said attorney has been appointed counsel and it appears to the Court that said attorney is entitled to the amount of \$ 9,536.40, *in this Capital Murder case, for accounting purposes.*

IT IS, THEREFORE, ORDERED that the County Auditor and County Treasurer of Smith County, Texas, forth with issue and deliver a check properly drawn on the general fund of Smith County, Texas, in the above amount made payable to Bobby D. Mims, P.C., P.O. Box 1107, Tyler, Texas 75710-1107. The attorneys Federal Tax I.D. # is 75-2818782.

Signed this 13 day of April, 2000.

FILED  
CLERK OF DISTRICT COURT  
SMITH COUNTY, TEXAS

200 APR 14 AM 8:49

SMITH COUNTY, TEXAS  
CLERK OF DISTRICT COURT

  
JUDGE PRESIDING

V. 51  
P. 234

FILED  
BECKY DEMPSEY  
DISTRICT CLERK007-81708-98

200 APR 10 PM 3:13

STATE OF TEXAS

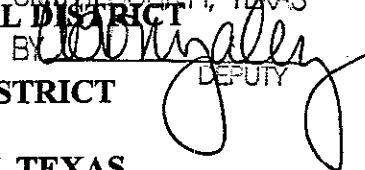
§

IN THE JUDICIAL DISTRICT

SMITH COUNTY, TEXAS

VS.

§

7<sup>th</sup> JUDICIAL DISTRICTBY  DEPUTY

TROY CLARK

§

SMITH COUNTY, TEXAS

MOTION TO PAY COURT APPOINTED ATTORNEY'S FEES

This statement of attorney's fees and request for payment is made by undersigned attorney and is made in accordance with Article 26.05 of the Texas Code of Criminal Procedure.

The expenses and fees were incurred in the representation of Troy Clark in this cause and incurred in performance of the following services:

1. time spent in court making an appearance on behalf of the Defendant;
2. time spent in pre-trial; and
3. Reasonable and necessary time spent out-of-court on this case.

The amount of reimbursement is based upon hourly fees.

Amount: 75.5 in court @ \$100.00 an hour \$ 7,550.00

24.83 out of court @ \$80.00 an hour \$ 1,986.40

out of pocket expense \$

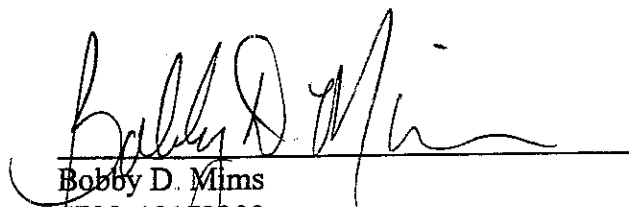
Total \$ 9,536.40

\*(See attached Exhibit "A" for schedule of time, activity and expenses undertaken on Defendant's behalf during the course of this representation.)

Reimbursement is requested in the amount of \$ 9,536.40.

Respectfully submitted,

THE LAW OFFICES OF BOBBY D. MIMS  
P.O. Box 1107  
Tyler, Texas 75710-1107  
(903)595-2169 (903)596-0719 fax



Bobby D. Mims  
SBN: 12172200  
*Attorney for Troy Clark*

**APPROVAL**

APPROVED on \_\_\_\_\_, 2000.

\_\_\_\_\_  
JUDGE PRESIDING

Bobby D. Mims  
 Attorney at Law  
 P.O. Box 1107  
 Tyler TX 75710-1107

Invoice submitted to:  
 Mr. Troy Clark  
 102 E. Elm St  
 Smith County Jail  
 Tyler TX 75702

APR 8, 2000  
 In Reference To: Capital Murder  
 Invoice #1120

Professional services

	<u>Hours</u>	<u>Amount</u>
3/15/00 Trial	6.50	650.00
Conference w/M. Carroll, Ken Nash & P.Black	1.00	80.00
3/16/00 Trial	7.25	725.00
3/17/00 Trial	5.50	550.00
3/18/00 Reivew discovery and trial preparation	4.50	360.00
3/20/00 Trial	6.00	600.00
Conference w/Carroll, Black and Nash	1.00	80.00
3/21/00 Trial	5.25	525.00
3/22/00 Trial	5.75	575.00
Conference w/Nash & Carroll	2.50	200.00

Mr. Troy Clark

Page 2

	<u>Hours</u>	<u>Amount</u>
3/22/00 Conference w/Carroll, Nash, Black and Troy Clark	3.00	240.00
3/23/00 Trial	8.50	850.00
Conference w/Nash and Carroll	1.00	80.00
conference in judge's chambers w/Carroll, Nash, Prosecution and Judge re: Jury charge	2.00	160.00
3/24/00 Trial	5.50	550.00
Conference w/Nash and Carroll	2.00	160.00
3/26/00 Trial Preparation and conference w/Carroll and Black	1.33	106.40
3/27/00 Trial	5.00	500.00
conference w/Mims to review exhibits and discovery	1.50	120.00
3/28/00 Trial	8.75	875.00
3/29/00 Trial	7.50	750.00
conference w/Mims and Sorenson	3.00	240.00
Confernce w/ Mims and Prosecution for Charge	1.00	80.00
conference w/Nash	1.00	80.00
3/30/00 Trial	4.00	400.00
4/8/00		0.00
For professional services rendered	100.33	\$9,536.40
Previous balance		\$24,657.65

Mr. Troy Clark

Page 3

	<u>Amount</u>
3/28/00 Payment - thank you	<u>(\$24,657.65)</u>
Balance due	<u><u>\$9,536.40</u></u>

All payments are due upon receipt.

STATE OF TEXAS  
VS

Troy Clark

CAUSE NUMBER 007-81708-48

X  
X  
X

IN THE 7th  
JUDICIAL DISTRICT  
SMITH COUNTY, TEXAS

Interim

MOTION TO PAY COURT APPOINTED ATTORNEY'S FEES

I, Bobby D. Mims, a duly licensed attorney in the State of Texas, as an officer of this Court do hereby represent and affirm to the Court that as Court Appointed Counsel for the defendant in the above numbered and entitled case, I have rendered the following reasonable and necessary services and spent the following amount of time in the performance of these services:

Check if Applicable	Date	Service	Standing Order	Total Time
<input type="checkbox"/>		Guilty Plea - State Jail	\$ 200.00	
<input type="checkbox"/>		Guilty Plea - Felony	\$ 250.00	
<input type="checkbox"/>		Guilty Plea - Multiple Case	\$ 100.00	
<input type="checkbox"/>		Dismissal of Case	\$ 200.00	
<input type="checkbox"/>		Indictment Quashed	\$ 100.00	
<input type="checkbox"/>		Non-Jury Trial - State Jail	\$ 350.00	
<input type="checkbox"/>		Felony	\$ 500.00	
<input type="checkbox"/>		Jury Trial	\$ 750.00	
<input type="checkbox"/>		*Number of days in Jury Trial		
<input checked="" type="checkbox"/>		Appeal	\$ 750.00	
<input type="checkbox"/>		Other: **Attach itemized statement and explanation of services:		

84.91 hours In Court  
191.09 hours Out of Court  
\$879.45 out of pocket expense

On this the 24th day of March, 2000, I respectfully request that I be paid a reasonable sum for such reasonable and necessary services and said payment be mailed to the address listed below:

Print Name: Bobby D. Mims  
State Bar Number: 12172200  
Address: P.O. Box 1107  
Tyler, Texas 75710-1107  
Phone: (903) 595-2169

ORDER TO PAY COURT APPOINTED ATTORNEY

The Court finds that the above reasonable and necessary services were performed by counsel in this case and said above Motion should be granted. It is therefore ORDERED that the said Court Appointed Counsel listed above shall be paid, from the General Fund of Smith County, Texas the following amount:

Signed this the 24th day of March, 2000, \$ 24,657.65 (Capital Murder Account)

Date: 3/24/00

[Signature]  
JUDGE PRESIDING

V.081  
P.229



FILED  
BECKY DEMPSEY  
DISTRICT CLERK007-81708-98

200 MAR 23 PM 1:19

STATE OF TEXAS	§	IN THE JUDICIAL DISTRICT, TEXAS
VS.	§	7 <sup>th</sup> JUDICIAL DISTRICT
TROY CLARK	§	SMITH COUNTY, TEXAS

BY *[Signature]*  
DEPUTY

MOTION TO PAY INTERIM COURT APPOINTED ATTORNEY'S FEES

This statement of attorney's fees and request for interim payment is made by undersigned attorney and is made in accordance with Article 26.05 of the Texas Code of Criminal Procedure.

The expenses and fees were incurred in the representation of Troy Clark in this cause and incurred in performance of the following services:

1. time spent in court making an appearance on behalf of the Defendant;
2. time spent in pre-trial; and
3. Reasonable and necessary time spent out-of-court on this case.

The amount of reimbursement is based upon hourly fees.

Amount:	84.91 in court @ \$100.00 an hour	\$ 8,491.00
	191.09 out of court @ \$80.00 an hour	\$ 15,287.20
	<u>879.45 out of pocket expense</u>	<u>\$ 879.45</u>

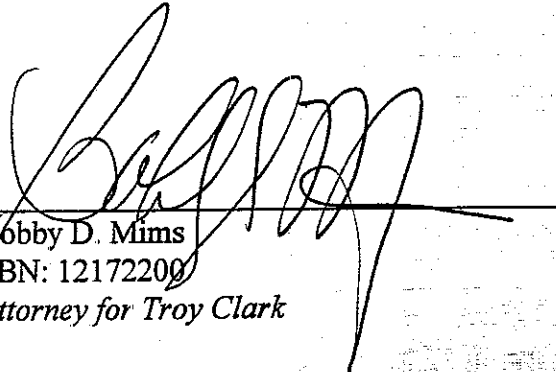
Total \$24,657.65

\*(See attached Exhibit "A" for schedule of time, activity and expenses undertaken on Defendant's behalf during the course of this representation.)

Reimbursement is requested in the amount of \$ 24,657.65.

Respectfully submitted,

THE LAW OFFICES OF BOBBY D. MIMS  
P.O. Box 1107  
Tyler, Texas 75710-1107  
(903)595-2169 (903)596-0719 fax



Bobby D. Mims  
SBN: 12172200  
*Attorney for Troy Clark*

**APPROVAL**

APPROVED on \_\_\_\_\_, 2000.

\_\_\_\_\_  
JUDGE PRESIDING

007-81708-98

STATE OF TEXAS	§	IN THE JUDICIAL DISTRICT
VS.	§	7 <sup>th</sup> JUDICIAL DISTRICT
TROY CLARK	§	SMITH COUNTY, TEXAS

**ORDER ON MOTION TO PAY INTERIM COURT**  
**APPOINTED ATTORNEY'S FEES**

COMES NOW, Bobby D. Mims, appointed counsel for Troy Clark, Defendant, in the above referenced cause, having moved before this Court, for an Order directing payment of reasonable fees for professional legal services performed on behalf of Defendant, Troy Clark, in this cause. The Court having found the Defendant, Troy Clark, indigent and that said attorney has been appointed counsel and it appears to the Court that said attorney is entitled to the amount of \$ \_\_\_\_\_.

IT IS, THEREFORE, ORDERED that the County Auditor and County Treasurer of Smith County, Texas, forth with issue and deliver a check properly drawn on the general fund of Smith County, Texas, in the above amount made payable to Bobby D. Mims, P.C., P.O. Box 1107, Tyler, Texas 75710-1107. The attorneys Federal Tax I.D. # is 75-2818782.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
JUDGE PRESIDING

Bobby D. Mims  
 Attorney at Law  
 P.O. Box 1107  
 Tyler TX 75710-1107

Invoice submitted to:  
 Mr. Troy Clark  
 102 E. Elm St  
 Smith County Jail  
 Tyler TX 75702

MAR 22, 2000  
 In Reference To: Capital Murder  
 Invoice #1119

Professional services

	<u>Hours</u>	<u>Amount</u>
11/17/99 Conference with Court in re appointment of case. Conference with client in Smith Co Jail. Conference with DA in re conflicts of Interest. Conference with R. Perkins & Ken Hawk in re obtaining file. Conference with Paul Black.	3.60	288.00
11/18/99 Court Appearance in re appointment of case and scheduling for trial and all pre-trial.	1.00	100.00
conference w/Paul Black re: Chad guill & Johnny Barrington	2.00	160.00
11/22/99 Interview witnesses with Paul Black	3.00	240.00
11/23/99 conference w/Paul Black and defendant	1.00	80.00
1/29/00 drafted pre-trial motions	5.67	453.60

Mr. Troy Clark

Page 2

	<u>Hours</u>	<u>Amount</u>
1/31/00 Pre-trial hearing	1.50	150.00
reviewed discovery	4.00	320.00
2/2/00 reviewed discovery	4.50	360.00
2/3/00 reviewed discovery	3.33	266.40
2/4/00 conference w/Paul Black and Ken Nash	3.00	240.00
2/5/00 reviewed discovery	6.50	520.00
2/6/00 reviewed discovery and began work on trial notebooks	4.00	320.00
2/8/00 conference w/Paul Black	1.67	133.60
viewed video tapes in discovery	3.00	240.00
2/9/00 conference w/Inv. Black re:discovery	2.00	160.00
viewed video tapes and reviewed discovery	6.50	520.00
2/11/00 reviewed discovery and video tapes	5.00	400.00
2/14/00 reviewed discovery	8.67	693.60
2/15/00 reviewed discovery	7.00	560.00
2/17/00 Hearing 7th	2.33	233.00
2/19/00 reviewed discovery and worked on trial notebooks	9.50	760.00
2/20/00 reviewed discovery and worked on trial notebooks	7.00	560.00
2/22/00 reviewed pictures and had copies made	2.50	200.00

Mr. Troy Clark

Page 3

	<u>Hours</u>	<u>Amount</u>
2/23/00 researched and prepared for general voir dire	4.00	320.00
2/24/00 Judge's General Voir ire	5.50	550.00
reviewed discovery	5.00	400.00
2/25/00 Prr-trial hearing 7th	2.00	200.00
conference w/Paul Black	2.33	186.40
reviewed juror questionnaires and reviewed discovery	8.33	666.40
2/26/00 conferenced w/Black; interviewed witnesses	3.33	266.40
reviewed juror questionnaires and discovery	4.50	360.00
2/28/00 Individual Voir Dire	7.00	700.00
reviewed juror questionnaires	1.50	120.00
2/29/00 Individual voir dire	7.00	700.00
reviewed juror questionnaires	1.50	120.00
3/1/00 Individual voir dire	7.50	750.00
reviewed juror questionnaires	1.50	120.00
3/2/00 Individual voir dire	8.75	875.00
conference w/Black re: interview w/witness Coats	0.83	66.40
reviewed juror questionnaires	1.50	120.00
3/3/00 Individual voir dire	7.50	750.00

Mr. Troy Clark

Page 4

	<u>Hours</u>	<u>Amount</u>
3/3/00 reviewed juror questionnaires and discovery	6.33	506.40
3/6/00 Individual voir dire	7.83	783.00
reviewed juror questionnaires and prepared trial notebooks	4.50	360.00
3/7/00 Individual voir dire	7.50	750.00
reviewed juror questionnaires and prepared trial notebooks	5.50	440.00
3/8/00 Individual voir dire	8.00	800.00
reviewed juror wuestionnaires and prepared trial notebooks	2.00	160.00
3/9/00 Individual voir dire	11.50	1,150.00
conferenced w/Black re: witnesses statements and trial	3.00	240.00
reviewed jurors and prepared for strikes	3.00	240.00
3/10/00 conference w/Black	2.67	213.60
reviewed discovery and prepared trial notebooks	5.00	400.00
3/11/00 prepared for trial	9.00	720.00
3/12/00 prepared for trial	4.50	360.00
3/13/00 conference w/Black re: case	4.50	360.00
reviewed an prepared for trial	3.00	240.00
prepared for trial with staff	4.00	320.00

Mr. Troy Clark

Page 5

	<u>Hours</u>	<u>Amount</u>
3/14/00 conference w/ Nash, Black and Carroll	6.33	506.40
For professional services rendered	276.00	\$23,778.20
Additional charges:		
1/31/00 Copies made on discovery at Kinko's		80.49
2/3/00 Copies made on discovery @ Kinko's		233.24
2/6/00 binders for Defendant's discovery and trial notebooks		56.90
2/9/00 Copies made on discovery		111.16
2/22/00 Copies made on discovery pictures		173.20
2/24/00 Copies made of defendant's discovery		102.84
2/25/00 Copies made of discovery		121.62
Total costs		<u>\$879.45</u>
Total amount of this bill		<u>\$24,657.65</u>
Balance due		<u><u>\$24,657.65</u></u>

All payments are due upon receipt.



David Black

2/9/2000

of Clark Discovery from

111.16

Kinko's  
4522 S. Broadway  
Tyler, TX 75703  
(903) 509-1090

QTY/LIST	DISC	PRICE	AMOUNT
1467	FS R&W S/S WHITE STD	0.07	102.69

SUR	102.69	TX	8.47	TOT	111.16
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Visa	111.16
CHG	0.00

CUSTOMER ID MIMS BOBBY M2

XXXXXXXXXX3128 02/02 AF034023

I agree to pay the above amount according to the card issuer agreement.

Sign Here: X

CW 58 TR 692265 RG 3 02/09/00 15:48

Visit us @ <http://www.kinkos.com>

111.16

BOBBY D. MIMS / ATTORNEY AT LAW

1337

2/25/00  
173.20

Karl's Camera

KARL'S  
CAMERAS  
TYLER, TEXAS

02-25-00 #2

160.00

160.00

13.20

173.20

3963 10:39TH

Photos of Clark Discovery

BOBBY D. MIMS / ATTORNEY AT LAW

Kinko's

1323

233.24

2/1/2000

2/1/2000

PAYMENT  
RECORD

Checking

copies of discovery Troy Clark Capital Murder T

233.24

Kirko's  
4522 S. Broadway  
Tyler, TX 75703

QTY/LIST	DISC	PRICE	AMOUNT
1215 FS B&W S/S WHITE STD			
0.07	0.00	0.07	85.05
1			
5.00	0.00	5.00	5.00
1			
Office SUPPLIES			
4.95	0.00	4.95	4.95

SUB 95.00 TX 7.94 TOT 102.84  
CHECK 102.84  
CHG 0.00  
MIMS BOBBY K2

OW 87 TR 69725 RG 2 02/25/00 10:38  
Visit us @ <http://www.kirkos.com>

Kirko's  
4522 S. Broadway  
Tyler, TX 75703

QTY/LIST	DISC	PRICE	AMOUNT
342 FS B&W S/S WHITE STD			
0.07	0.00	0.07	23.94
1			
5.00	0.00	5.00	5.00
31			
PC SS WKK STATION TIME/INH			
0.20	0.00	0.20	6.20
114			
COMP RENT LTR.LGL. B&W PRINT			
0.95	0.406	0.344	39.22

SUB 74.36 TX 6.13 TOT 80.49  
CASH 100.00  
CHG 19.51  
MIMS BOBBY G1

OW 11 TR 688498 RG 2 01/31/00 07:40  
Visit us @ <http://www.kirkos.com>

BOBBY D. MIMS / ATTORNEY AT LAW

TR04 CCARK

1336

2/25/00

102.84

Kirko's  
4522 S. Broadway  
Tyler, TX 75703

QTY/LIST	DISC	PRICE	AMOUNT
1215 FS B&W S/S WHITE STD			
0.07	0.00	0.07	
390			
FS B&W S/S WHITE STD			
0.07	0.00	0.07	25.30

SUB 112.35 TX 9.27 TOT 121.62  
CHECK 121.62  
CHG 0.00  
MIMS BOBBY G4

OW 1 TR 697962 RG 2 02/25/00 21:47  
Visit us @ <http://www.kirkos.com>

0940 00002 52999 02.02  
854553 12:57

071041210173 039 120 12 90

064100000000 1200 00000000  
070000000000 000 000 000000  
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# **Exhibit 2**

STATE OF TEXAS

VS.

TROY CLARK

CAUSE NUMBER 007-8708-98

X

X

X

IN THE 7TH

JUDICIAL DISTRICT

SMITH COUNTY, TEXAS

MOTION TO PAY COURT APPOINTED ATTORNEYS FEES

I, KENNETH NASH, a duly licensed attorney in the State of Texas, as an officer of this Court do hereby represent and affirm to the Court that as Court Appointed Counsel for the defendant in the above numbered and entitled case, I have rendered the following reasonable and necessary services and spent the following amount of time in the performance of these services:

Check if Applicable	Date	Service	Standing Order	Total Time
<input type="checkbox"/>		Guilty Plea - State Jail	\$ 200.00	
<input type="checkbox"/>		Guilty Plea - Felony	\$ 250.00	
<input type="checkbox"/>		Guilty Plea - Multiple Case	\$ 100.00	
<input type="checkbox"/>		Dismissal of Case	\$ 200.00	
<input type="checkbox"/>		Indictment Quashed	\$ 100.00	
<input type="checkbox"/>		Non-Jury Trial - State Jail	\$ 350.00	
<input type="checkbox"/>		Felony	\$ 500.00	
<input checked="" type="checkbox"/>		Jury Trial	\$ 750.00	
<input type="checkbox"/>		*Number of days in Jury Trial		
<input type="checkbox"/>		Appeal	\$ 750.00	
<input type="checkbox"/>		Other: **Attach itemized statement and explanation of services:		

SEE ATTACHMENT

On this the 25 day of APRIL, 2000, I respectfully request that I be paid a reasonable sum for such reasonable and necessary services and said payment be mailed to the address listed below.

Kenneth Nash  
Print Name: KENNETH NASH  
State Bar Number: 14811030  
Address: 329 S. FANNIN AV.  
TYLER, TX 75702  
Phone: (903) 849-6673

ORDER TO PAY COURT APPOINTED ATTORNEY

The Court finds that the above reasonable and necessary services were performed by counsel in this case and said above Motion should be granted. It is therefore ORDERED that the said Court Appointed Counsel listed above shall be paid, from the General Fund of Smith County, Texas the following amount:

\$ 12,560.00

Signed this the 25 day of April, 2000

[Signature]  
JUDGE PRESIDING

Date: 4/25/00

White Copy - Court • Blue Copy - Attorney • Goldenrod Copy - Sent to Auditor by Court

V. 21  
P. 231

No. 007-81708-98

The State of Texas

In the 7th District Court

v.

of

Troy Clark

Smith County, Texas

**Itemized Statement & Explanation of Services**

<i>date</i>	<i>services</i>	<i>hours</i>
11/18/00	Pre-trial hearing re appointment & trial scheduling order	1.00
01/31/00	Reviewed discovery	2.00
02/01/00	Pre-trial hearing	1.50
	Reviewed discovery	2.00
02/02/00	Reviewed discovery	3.00
02/03/00	Reviewed discovery	3.50
02/04/00	Conference w/ Mims & Black	3.00
	Reviewed discovery	2.00
02/05/00	Reviewed discovery	3.00
02/06/00	Reviewed discovery	2.00
02/07/00	Reviewed discovery	2.00
02/08/00	Viewed videotaped statements & reviewed discovery	3.00
02/09/00	Viewed videotaped statements & reviewed discovery	4.50
02/10/00	Reviewed discovery	2.00
02/11/00	Viewed videotaped statements & reviewed discovery	3.00
02/12/00	Reviewed discovery	2.00
02/13/00	Reviewed discovery	2.00

02/14/00	Reviewed discovery	3.50
02/15/00	Reviewed discovery	3.00
02/16/00	Reviewed discovery	2.00
02/17/00	Reviewed discovery	2.00
02/18/00	Reviewed discovery	2.00
02/19/00	Reviewed discovery	3.00
02/20/00	Reviewed discovery	2.00
02/21/00	Reviewed discovery	2.00
02/22/00	Reviewed discovery	2.00
02/23/00	Preparation for court's general voir dire	2.00
	Reviewed discovery	2.00
02/24/00	Court's general voir dire examination	5.50
02/25/00	Pre-trial hearing	2.00
	Reviewed panel questionnaires	0.50
02/28/00	Individual voir dire examination	7.00
	Reviewed panel questionnaires	0.50
02/29/00	Individual voir dire examination	7.00
	Reviewed panel questionnaires	0.50
03/01/00	Individual voir dire examination	3.00
	Reviewed panel questionnaires	0.50
03/02/00	Individual voir dire examination	8.75
	Reviewed panel questionnaires	0.50
03/09/00	Individual voir dire examination	7.50
	Reviewed panel questionnaires	0.50
03/10/00	Preparation for trial	3.50

03/11/00	Preparation for trial	4.00
03/12/00	Preparation for trial	3.00
03/13/00	Preparation for 404(b) hearing	4.00
03/14/00	Legal research re 404(b) evidence	n/c
	Pre-trial hearing re 404(b) evidence	3.00
	Conference w/ Mims, Black & Carroll ( & Clark)	6.50
03/15/00	Trial	6.50
	Conference w/ Mims, Black & Carroll	1.00
	Drafted limiting instructions re extraneous offenses, prior statements & Rule 705 materials	n/c
03/16/00	Trial	7.25
	Conference w/ Mims & Carroll	n/c
03/17/00	Trial	5.50
	Conference w/ Mims & Carroll	n/c
03/20/00	Trial	6.00
	Conference w/ Mims, Black & Carroll	1.00
03/21/00	Trial	5.25
	Conference w/ Mims & Carroll	n/c
03/22/00	Trial	5.75
	Conference w/ Mims & Carroll	2.50
	Conference w/ Mims, Carroll, Black & Clark	3.00
03/23/00	Trial	8.50
	Conference w/ Mims & Carroll	1.00
	Charge conference	2.00

03/24/00	Trial (closing arguments & deliberations)	5.50
	Conference w/ Mims & Carroll	2.00
03/27/00	Trial (punishment hearing)	5.00
	Conference w/ Mims & prosecutors to review exhibits	1.50
03/28/00	Trial (punishment hearing)	8.75
	Conference w/ Mims	n/c
03/29/00	Trial (punishment hearing)	7.50
	Charge conference	1.00
	Conference w/ Mims	1.00
03/30/00	Trial (closing arguments, deliberations & sentencing)	4.00

Total in-court time: 124.75 hours

Total out-court time: 101.50 hours



# **Exhibit 3**



**AFFIDAVIT**

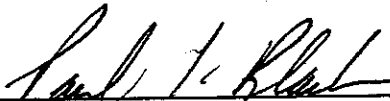
STATE OF TEXAS  
COUNTY OF SMITH

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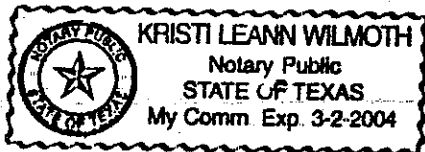
Before me, the undersigned authority, on this date personally appeared PAUL BLACK, who, being by me duly sworn, deposed as follows:

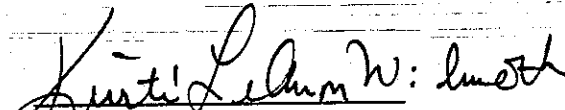
My name is PAUL BLACK. I am of sound mind, capable of making this affidavit and personally acquainted with the facts herein stated which are true.

I am the custodian of records for CSI INC.. Attached hereto are 6 Pages of records from CSI, INC.. These said 6 Pages of records are kept by CSI INC. in the regular course of business and it was the regular course of business of PAUL BLACK an employee or representative of CSI, INC. with knowledge of the act, event, condition, opinion or diagnosis recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original.

  
Affiant

SWORN TO AND SUBSCRIBED before me on this the 13th Day of June, 2000.



  
Notary Public, State of Texas

My commission expires: 03-02-04

**CSI Inc.****100 Independence Suite 204****Tyler, Texas 75703****(903) 561-7202****Invoice**

DATE	Cause Number
9/2/99	C 98 0074

BILL TO
Smith County Treasure 100 North Broadway Tyler, Texas 75702

DUE DATE	Cause Number
10/2/99	00781598 98

Date	DESCRIPTION	Hours	RATE	AMOUNT
11/10/1998	Travelled to Smith County Jail and conducted initial interview with Troy Clark reference his case. Met with Attorney Bill Wright reference this cas. Researched information on possible witness's in this case.	5	45.00	225.00
01/25/1999	Travelled to The Smith County Jail and met with Dacie Lynn Eubanks who is a cellmate of Tory Bush concerning her knowledge of homicide's.	2	45.00	90.00
01/04/1999	Travelled back to Smith County Jail and conducted a interview with Troy Clark.	3	45.00	135.00
09/02/1999	Travelled to Attorney Ken Hawk's office for meeting concerning this case and discussion of discovery information.	1	45.00	45.00
09/02/1999	Researched computer to locate witness's in this case.	2	45.00	90.00
06/03/1999	Hearing in Judge Goumert's Court reference change of attorney's. Met with Troy Clark at Smith County Jail.	4	45.00	180.00
06/04/1999	Travelled to Smith County Jail and viewed video tapes of Tory Bush and other witnesses that were discovery material.	4	45.00	180.00
06/07/1999	Travelled to Smith County Jail and met with Troy Clark. Travelled to Phillips Hearing aids to get Troy Clark hearing aid's fixed so he can hear.	3	45.00	135.00
06/10/1999	Reviewed Discovery information this case.	2	45.00	90.00
08/12/1999	Telephone conversation with Tory Bush reference Troy Clark.	1	45.00	45.00
08/13/1999	Telephone interview with Tory Bush reference Troy Clark.	1	45.00	45.00

**CSI Inc.****100 Independence Suite 204****Tyler, Texas 75703****(903) 561-7202****Invoice**

DATE	Case Number
9/2/99	C 98 0074

**BILL TO**

Smith County Treasure  
100 North Broadway  
Tyler, Texas 75702

DUE DATE	Case Number
10/2/99	00781598 98

Date	DESCRIPTION	Hours	RATE	AMOUNT
09/02/1999	Met with Ken Hawk, went over current information on case, recieved a list of objectives.	1	45.00	45.00
09/06/1999	Prepared typed transcripts of interviews with Tory Bush.	4	45.00	180.00
11/18/1999	Court Hearing change of Attorney Bobby Mims/ Ken Nash appointed to case. Met with Attorneys and Troy Clark reference case. Reviewed case with Troy Clark and took hearing aid to Phillips Heraing to be fixed.	6	45.00	270.00
11/19/1999	Attempted to locate Johnny Barrington reference this case. Contacted Chad Guill reference this case. Met with Attorney Bobby Mims and obtained subpoena's for Johnny Barrington.	4	45.00	180.00
11/22/1999	Located Chad Guill and conducted interview as to his knowledge of Tory Bush and Troy Clark. Contacted Sharon and Roy Barrington reference Troy Clark. Met with Bobby Mims who travelled to Sharon Barrington residence and to interview Chad Guill.	6	45.00	270.00
11/23/1999	Conducted telephone interview with Johnny Barrington. Travelled to Smith County Jail met with Attorney Bobby Mims and Troy Clark.	3	45.00	135.00
11/24/1999	Prepared reports of interviews. Travelled to Smith County District Attorneys Office and picked up taped interview of state witness. Travelled back to Smith County Jail to meet with Troy Clark.	4	45.00	180.00

Thank you for your business!

Subtotal 2,520.00

0% Tax

**Total**



CSI Inc.  
100 Independence Suite 204  
Tyler, Texas 75703

(903) 561-7202

# Invoice

DATE	Case Number
2/8/00	C 99

BILL TO
Smith County Treasure 100 North Broadway Tyler, Texas 75702

DUE DATE	Cause Number
3/9/00	

Date	DESCRIPTION	Hours	RATE	AMOUNT
02/04/2000	Picked up Discovery reviewed discovery Met with Bobby Mims and Ken Nash reference investigation.	6	45.00	270.00
02/08/2000	Met with Bobby Mims. Picked up new Discovery Information from Smith County District Attorney. Met with David Dobbs. Took Discovery to Kinko's for copying.	4	45.00	180.00
02/09/2000	Met with Bobby Mims. Picked up Discovery Information from Kinko's. Took Discovery information to Troy Clark at The Smith County Jail.	4	45.00	180.00
02/10/2000	Attempt to locate Amber Scroggins and Chad Guill for purpose of interview. Spoke with Det. Bobby Vanness reference this case. Researched state's witness list for Criminal Convictions.	6	45.00	270.00
02/25/2000	Met with Attorney Bobby Mims. Located Amy Ellison and interviewed her reference information she has concerning homicide. Located Lee Ann Love and interviewed her reference to letters Troy Clark had written her while in jail.	6	45.00	270.00
02/26/2000	Picked up discovery from Smith County District Attorneys Office. Met with Bobby Mims reinterviewed Lee Ann Love. Located and interviewed Chad Guill with Attorney Bobby Mims.	4	45.00	180.00
02/28/2000	Travelled to Mrs. Youngs property located off of Hwy 64 where bodies were found and viewed the area. Travelled to Lake Placid where Troy Clark and Tory Bush lived and location Christina Muse was suppose to have been murdered at. Met with Bobby Mims and Melinda reference this case.	6	45.00	270.00

CSI Inc.  
100 Independence Suite 204  
Tyler, Texas 75703

# Invoice

(903) 561-7202

DATE	Case Number
2/8/00	099

## BILL TO

Smith County Treasure  
100 North Broadway  
Tyler, Texas 75702

DATE	Case Number
3/9/00	

Date	DESCRIPTION	Hours	RATE	Amount
03/02/2000	Travelled to Mrs. Young's residence attempt to locate was not home. Located Amber Scroggins and interviewed her at Aspen place Apt. Interviewed Michael Coats at Attorney bobby mims Office.	5	45.00	225.00
03/08/2000	Telephone interviews of witnesses and researched discovery. Worked on time line of events surrounding case.	10	45.00	450.00
03/09/2000	Met with Attorney Bobby Mims reference witnesses and case strategy. Worked on time line. Reviewed discovery information.	8	45.00	360.00
03/10/2000	Met with Attorney Bobby Mims. Contacted Lee Ann Love reference this case and conducted another interview. Worked on time line attempt contact of Wesley crocker and Bob White.	8	45.00	360.00
03/12/2000	Reviewed Discovery, worked on time line.	4	45.00	180.00
03/13/2000	Met with Attorney Bobby Mims. Travelled to Crow Wrecker researched records on Christina Muse vehicle called in by Troy Clark for pickup from Lake Placid. Travelled to Mrs Yougs residence conducted interview. Attempt meeting with Amber Scroggins.	8	45.00	360.00
03/14/2000	Located and interviewed Blue Barrington and Chad Guill reference thier knowledge of Christina Muse and Tracy Mize. Background knowledge of Tory Bush and Troy Clark. Pre-Trial Hearing. Meeting with troy Clark, Bobby Mims, Ken Nash Malinda Carol at Smith County Jail.	10	45.00	450.00

Thank you for your business!

Subtotal

0% Tax

**Total**



CSI Inc.  
100 Independence Suite 204  
Tyler, Texas 75703

(903) 561-7202

# Invoice

DATE	Case Number
3/19/00	102

## BILL TO

Smith County Treasure  
100 North Broadway  
Tyler, Texas 75702

DUE DATE	Cause Number
4/18/00	

Date	DESCRIPTION	Hours	RATE	AMOUNT
03/15/2000	Trial, Service of Subpoenas and interview of witness's that we previously could not contact. Meeting with attorney's and defendant.	9	45.00	405.00
03/16/2000	Trial, Interview witness's and serve subpoena's on witness's. Meeting trial strategy with attorney's and defendant.	9	45.00	405.00
03/17/2000	Trial, Checked all video stores in Tyler for Christina Muse membership's. Contacted Hermiston, Oregon Police Department Detective Rollins reference Torgene Marie Bush criminal history for attempted murder.	9	45.00	405.00
03/20/2000	Trial and interviewing witnesses that previously could not be found. Travelled to Tyler Iron and metal and researched records. Travelled back to Blockbuster video's in Tyler and researched records. Meetings with attorneys reference Trial strategy.	8	45.00	360.00
03/21/2000	Contact Character reference's for Troy Clark. Meeting at Jail and review of Troy Clark Video statements. Trial.	12	45.00	540.00
03/22/2000	Trial located and interview witness's. Contacted Hamiston, Oregon reference Tory Bush Criminal History. Located Dacie Eubanks in Houston, Texas arranged transportation from Houston and Motel at Tyler, Texas. Located and interviewed Lee Ann Love for Trial. Meeting with attorneys and went over Troy Clark Statement and Amber Scroggins taped interview.	10	45.00	450.00
03/22/2000	Motel for witness Dacie Eubanks and gas money from Houston, Texas and back. \$38.41 for Motel and \$20.00 gas money.		58.41	58.41



CSI Inc.  
100 Independence Suite 204  
Tyler, Texas 75703

(903) 561-7202

# Invoice

DATE	Case Number
3/19/00	102

BILL TO
Smith County Treasure 100 North Broadway Tyler, Texas 75702

DUE DATE	Cause Number
4/18/00	

Date	DESCRIPTION	Hours	RATE	AMOUNT
03/23/2000	Trial and interview of witness's for Troy Clark case. Attempt to locate witness Lisa Lopez and Lee Ann Love. Conference with Attorneys.	8	45.00	360.00
03/27/2000	attempt to locate and interview Troy Clark family members as witness's in punishment trial.	4	45.00	180.00
03/28/2000	Contacted family members of Troy Clark and names of witness's Clark provided to attorneys and investigator for punishment trial.	2	45.00	90.00
03/29/2000	Travelled to Smith County Jail met with Lt. Folmer reference witness's at jail for Troy Clark including jailers Clark wanted to call as character witness's for him. Lt. Folmer advised no jailer would be allowed to testify in behalf of Clark. Met with Dr. Sorenson reference Clark. Attended Court per Attorney Bobby Mims in case needed to testify.	8	45.00	360.00
Thank you for your business!		Subtotal	1,615.41	
		0% Tax		
		Total	1,615.41	

# **Exhibit 4**

**COURT OF CRIMINAL APPEALS  
STATE OF TEXAS**

**NO. 73, 816**

**7th DISTRICT COURT OF SMITH COUNTY  
STATE OF TEXAS**

**NO. 007-81708-98**

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**Ex Parte TROY CLARK,**

**Applicant.**

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**AFFIDAVIT OF CLETA BARRINGTON**

**STATE OF ARKANSAS**

**COUNTY OF PULASKI**

**CLETA BARRINGTON**, being first duly sworn upon oath, deposes and states:

1. My name is Cleta Barrington. I am the mother of Troy Clark ("Troy"). I make this Affidavit in support Troy's Application for Writ of Habeas Corpus pursuant to Article 11.071 of the Texas Code of Criminal Procedure.

2. Troy was born with a cleft palate, which caused him to develop speech problems during his formative years. Troy's speech problems caused him to be the subject of ridicule while growing up. Troy was especially tormented at school.

3. I have had a drug problem for most of my adult life. Every since I was 18 years of age, I supported my drug habit by prostitution. As a result, I was incarcerated on Troy's first

birthday. I have a lengthy criminal history resulting from my addiction. I have been incarcerated on and off for most of Troy's life.

4. Troy's father, Wilburn Clyde Clark, Sr., had very little to do with Troy and was hardly ever around.

5. Throughout his childhood and early teens Troy was basically kicked around from home to home. He would live with certain family members for awhile, only to be sent to live with other family members. This cycle continued for most of Troy's formative years.

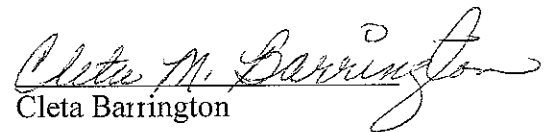
6. Troy lived with his grandmother for a period of time. Troy's grandmother was married to Roy Hattaway who was an alcoholic. Troy also lived with Buddy Hensley, my brother-in-law. While Troy was living with Buddy Hensley, he was often subjected to physical abuse.

7. When Troy was 15 years old, I gave consent for him to marry. I gave my consent so that Troy would not be placed in a State foster care program. Troy has been on his own since he was 15.

8. When Troy was 20 years old, his brother, Wilburn Clyde Clark, Jr., committed suicide by placing a shotgun in his mouth and pulling the trigger. Troy has always felt responsibility for his brother's death because they had fought and argued the night before his brother's suicide.

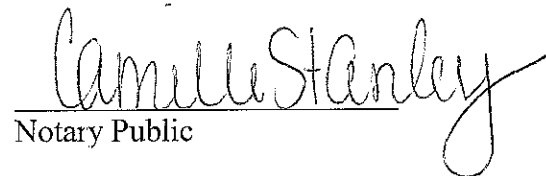
9. Neither of Troy's trial attorneys, nor any investigator working on their behalf, ever contacted me to inquire about Troy's family history or personal history. If they had, I would have told them about what is contained in this affidavit and answered any questions they had concerning these subjects.

Further affiant sayeth naught.

  
Cleta Barrington

Subscribed and sworn to before me this 10<sup>th</sup> day of July, 2002.



  
Notary Public